

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

MGNREGS - AP - Creation of Legal cell in Commissionerate of Rural Development and Appointment of Special Counsel - Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (RD-II) DEPARTMENT

G.O.Ms.No. 76

Dated:07.04.2011
Read

1. From the Commissioner of Rural Development of A.P., Hyderabad,
Note Dated:8-03-2011.

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ORDER:

In order to have effective implementation of the MGNREGS programme, Government AP have put in place a six-monthly social audit system and established a system for taking action on the functionaries found to have committed irregularities. This system has ensured that erring personnel are brought to book expeditiously.

2. The Commissioner of Rural Development has reported that in the process of taking action on the personnel found to have committed irregularities, many court cases are being filed by the aggrieved persons delaying the disciplinary action. Apart from these, court cases are being filed by general public, voluntary organizations and such other entities based on the provisions of the MGNREG Act. Due to paucity of time and expertise, the MGNREG machinery is not able to handle these cases effectively. Accordingly, the Commissioner Rural Development has proposed to create a special **legal cell** that would effectively place before the courts the stand of the Government in all cases pertaining to MGNREGS by filing counters, appeals and stay vacation petitions in time to ensure speedy disposal of cases and for smooth implementation of MGNREG Scheme.

3. Government, after careful examination of the proposals of Commissioner of Rural Development, hereby approve the proposal for constitution of a legal cell in the Commissionerate of Rural Development consisting of:

- a) A Special Counsel drawn from senior advocates with an experience as Government Pleader, to represent the MGNREG machinery in the High Court.
- b) A Chief Law Officer - assisted by (2) Law Officers, Steno-cum-Computer Assistant and Office Assistant - responsible for drafting the counters and advising the Special Counsel in defending the cases in Courts. He shall be responsible for preparing para-wise remarks, counters, stay vacation petitions and other interim orders, caveats etc and furnish the same to the Special Counsel for preparing final drafts. He shall also be monitoring the progress of various cases and shall protect the interests of Government.

4. Further the Commissioner Rural Development is directed to identify suitable persons for the above positions expeditiously and engage them on contract / deputation basis. The emoluments for the personnel shall be fixed keeping in view both the pay structure of the Government Pleaders and the current market rates.

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The cost of running the legal cell shall be met from the 6% administrative costs accrued on implementation of the MGNREG works.

5. A copy of this order is available on the Internet and can be accessed at the address: <http://www.rd.ap.gov.in>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**R.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (RD)**

To

The Commissioner, Rural Development, Hyderabad.
The Registrar (Judicial), High Court of A.P, Hyderabad

Copy to:-

The PS to Prl.Secy to Govt (P.R)
The PS to Prl.Secy to Govt (R.D)
The PR&RD (Genl.) Department (2 Copies)
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//FORWARDED::BY ORDER //

SECTION OFFICER